

OSW Comments on: Proposal – Evaluation of Painted Surfaces for the Presence of PCBs – ex-Kittiwake (ASR-13) submitted by EPI of Baltimore, MD to the Cayman Islands Tourism Association

The Cayman Islands Tourism Association (CITA) has received a proposal from EPI of Baltimore, MD to perform an independent or “3rd party” evaluation of the PCB remediation performed on the ex-Kittiwake. EPA’s Office of Solid Waste provides the following comments below.

1. Scope of EPI’s evaluation. The proposal by EPI is only to evaluate the remediation of painted surfaces containing regulated levels of PCBs, specifically, the remediation of paint sample #67. CITA/DMG collected 121 paint samples in 2006 and a single paint sample had results ≥ 50 ppm (#67 – 108 ppm). EPA’s recommendation for a 3rd party or independent inspection was not limited to paint or a single area on the vessel, it was meant to apply to the remediation of the entire vessel. This proposal should be revised to describe how EPI will verify remediation, removal and disposal of all known or suspected PCB-containing materials according to CITA/DMG’s workplan.

EPA’s May 29, 2007 correspondence to MARAD states: “Upon completion of PCB removal, the Cayman Islands should engage a qualified independent third party inspector with PCB experience to verify that CITA/DMG has complied with its proposed PCB remediation and sampling plans for PCBs. EPA retains its discretion and authority to enforce its regulations as EPA deems appropriate.”

2. EPI understanding of the PCB remediation. EPI is proposing to perform only a post-remediation visit the vessel. To insure an informed outcome, EPA recommends that EPI’s consider at least one pre-remediation visit to become familiar with the vessel and to review CITA/DMG’s workplan and remediation approach, and at least one visit during remediation to meet with CITA/DMG and assess progress and any issues or problems implementing CITA/DMG’s workplan. EPI should also submit progress/status reports to CITA. CITA should then submit these reports to EPA so EPA can monitor progress.

3. Sampling methods. EPI is proposing to use “wipe and/or bulk samples”. Wipe samples alone are not acceptable. Wipe samples only provide information on surface contamination. The PCB regulations are based on total or “bulk” results (≥ 50 ppm). A total PCB analysis must be run to determine regulatory status. If EPI wishes to collect wipe samples, in addition to solid or “bulk” PCB samples, they may do so but wipe data alone cannot be used to determine regulatory status.

4. EPI should develop and submit a Kittiwake-specific plan for CITA. EPI did not submit a Kittiwake specific plan but instead submitted documents they prepared for the remediation of the Spiegel Grove as examples. The Spiegel Grove documents are inappropriate as they rely on an obsolete sampling plan guidance written by EPA in 1995 (“Sampling Ships for PCBs Regulated for Disposal - Interim Final Policy, 1995”). It is important to note that the 1995 guidance document was never issued in final form, and it has since been officially withdrawn. Further, that guidance was never intended to apply to ships being used to create artificial reefs. Instead, EPI should develop a methodology that will provide reasonable confidence that regulated PCB materials would likely be found on the ship.

5. Personnel qualifications. The resumes of Mr. Plisko and Mr. Spencer indicate limited experience with PCBs and ships. The majority of their experience is Asbestos exposure prevention, abatement and sampling. Mr. Plisko’s PCB and ship experience is limited to a single project – Spiegel Grove in 2001. Mr. Spencer has similar experience (Spiegel Grove) and also lists a ship scrapping project in 1994. Mr. Plisko and Mr. Spencer should provide more details about their experience managing PCBs and their

roles in the Spiegel Grove project and the 1994 ship scrapping project, and other relevant information such as PCB training, etc.